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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,078	08/30/2001	Todd R. Abbott	MIO 0083 PA	7688

7590 01/21/2005  
Killworth, Gottman, Hagan & Schaeff, L.L.P.  
Suite 500  
One Dayton Center  
Dayton, OH 45402-2023

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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09/943078

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT
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PAPER
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20050120

DATE MAILED:

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Commissioner for Patents

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 8 November 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

All pending claims have been canceled and new claims 50-58 have been added, and Applicant did not indicate on which species I-A or I-B the new claims read. Examiner can identify claims to both species I-A and I-B. (See the Restriction Requirement filed on 20 September 2002 which was made final in the Office action filed 15 November 2002.) Note that the Restriction Requirement filed on 20 September 2002 states in pertinent part,

“Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, **including any claims subsequently added**. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.” (Emphasis added.)

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

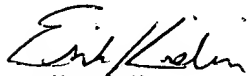
### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik Kielin whose telephone number is 571-272-1693. The examiner can normally be reached on 9:00 - 19:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Erik Kielin  
Primary Examiner  
January 20, 2005